Previous references.

1905-06
(Courts)

File No. 198/06/05

Serial Nos. 1 — 11

Later references.

Cts 32 of 06
Sls 1-4.
Cts 32-06 Sls 5-6
B. Feb. 1907
Cts 41-07 - 1-6.
Cts 11 & 4 - 09. 11-04
Cts 154-10 - 14

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 — 11

Part B. for April 1906

SUBJECT.

Defence of mr V. Gopaul Rao, Amildar of Chicknaikanhalli, before the Principal Munsiff of Bangalore, at Court cost in the suit filed against him and two Head Constables by the Munisubbaiah

11	To the Inspector-General of Police in Mysore, Government Order No. J. 2962—Cts. 198-11, dated the 24th April 1906. Declines to interfere with the jurisdiction of the Civil Courts of Justice in the manner suggested by the Inspector-General of Police as the existing protection in Sections 41 and 42 of the Police Act V of 1861 is sufficient and that the Draft Police Regulation will, when passed, afford more protection to Police Officers and Magistrates.

Defence of Mr. V. Gopal Rao, Amildar of Chiknayakanhalli, before the Principal Munsiff of Bangalore at Government cost in the suit filed against him and two other constables by one Munisubbaiya.

1 From the District Magistrate of Tumkur, dated Camp Mysore, the 31st January 1906.
Forwards for favor of necessary action copy of his letter to the Inspector-General of Police in the matter and suggested the issue of a wire to the Government Advocate to move the Court concerned for an adjournment.

2 To the Public Prosecutor, Bangalore Division, No. J. 2186—C. 198-2, dated the 8th February 1906.
Requests him to obtain for and furnish Government with a copy of the plaint in the case, with information as to the date to which the case has been adjourned and the stage at which it stands.

3 From the Deputy Commissioner, Tumkur, No. 707, dated the 8th February 1906.
Forwards copy of his letter to the Inspector-General of Police stating that the case has, at the request of Mr. Gopal Rao, been adjourned to the 19th February 1906 and that if the Inspector-General deems it desirable, early action may be taken to undertake the defence at Government cost.

4 From the Inspector-General of Police in Mysore, No. 4080—443, dated the 10th February 1906.
States the circumstances under which Mr. Gopal Rao searched the house of Munisubbiah and requests that early orders may be passed as to his defence at Government cost.

5 To the Inspector-General of Police in Mysore, the Deputy Commissioner of Tumkur, and the Public Prosecutor, Bangalore, Government Proceedings No. J. 2260-2—Cts. 198-5, dated the 20th February 1906.
Sanctions the defence of Mr. Gopal Rao and the two Head constables in the case in question at Government cost and requests the Public Prosecutor to submit a copy of the written statement proposed to be filed.

6 From the Public Prosecutor, Bangalore, No. dated the 3rd March 1906.
Forwards a copy of the statement and states that the case has been adjourned to the 8th instant.

7 To the Public Prosecutor, Bangalore, and the Inspector-General of Police in Mysore, Government Proceedings No. J. 2420-1—Cts. 198-7, dated the 7th March 1906.
Records with the remark that the Public Prosecutor should appear also for the other defendants, *viz.*, the two Head constables.

8 From the Public Prosecutor, Bangalore, dated the 16th March 1906.
Forwards for information and approval copies of the written statements filed by two Head constables in question and states that the case is posted to the 31st May 1906 for disposal.

9 To the Public Prosecutor, Bangalore, No. J. 2539—Cts. 198-9, dated the 23rd March 1906.
Records the above with the remark that the result of the defence should be reported in due course.

10 From the Inspector-General of Police in Mysore, No. 4871—535, dated the 23rd March 1906.
Forwards copies of written statements filed by the two Head constables in question before the Principal Munsiff of Bangalore and states that it is undesirable to allow Civil Courts to entertain complaints against Government officials for acts done in their official capacity without reference to the Head of the Department to which they belong.

G. R. S. 11] 1905 06

GENERAL AND REVENUE SECRETARIAT

(Courts.)

NOTES.

File. No 158

FILE HEADING.

Defence of Mr. V. Gopal Rao, Amildar of Chickanaikanhalli, in Principal Munsiff's court at Bangalore, at Govt. cost in suit filed against him & 2 Head Constables by one Munisubbaiya

From

The District Magistrate of Tumkur

No. Dated 31/1/06 Received 2/2/06

Diary No. 2080	Enclos. one	Spare Copies. –	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Forwards for favour of necessary orders copy of Gopal Rao's memo detailing the circumstances under which suit has been filed against him and of the Dy Commr's letter the matter to the Asst Surgeon of Police.

NOTES AND ORDERS.

1 The case was to come off for hearing on the 18th instant, but the reference was received only on the 31st.

Submit for orders. 2 The suit being filed against the late City Inspector & the Head Constables

3/2/06 SM 3/2/06 appears to

Notes—First sheet.

MGCPB—30,000—17-2-05.

G.R.S. 12]
General and Revenue Secretariat.

File No. 1996 of 1905

Serial No.

~~[illegible]~~ in their official capacity it is not competent to the Munsiff to entertain it. Vide S. 229 of the Land Revenue Code.

3 We may ask the ~~[illegible]~~ Public Prosecutor to ascertain to what date the case has been adjourned, & to obtain a copy of the plaint for the information. I do not think we can do anything more in the absence of further details.

4 Putup a draft.

5 Draft submitted

6 Passed

Draft issued

2 To the Public Prosr, Bangalore Division

Requests him to obtain & furnish forthwith a copy of the plaint in the case, with information as to the date to which the case has been adjourned & the stage at which it stands.

3 From the Deputy Commr of Tumkur No. 709 of the 8th Feby 06.

Forwards copy of his letter to the

MGCPB—20,000—1-11-04.

G.R.S. 12]
General and Revenue Secretariat.

File No. 158 of 1905.

Serial No.

Insp^r General of Police in Mysore stating that the Case has, at the request of Mr Gifford been adjourned to the 15th Febs 06 & that, if the Insp^r General deems it desirable, early action may be taken in the matter of the defence of Mr Gifford &c. at first cost.

2. From the Insp^r Genl. of Police in myon No. 1080/448 of the 10th Febs 06.

States the circumstances under which Mr Gifford &c searched the house of Messrs Colbraith & requests that early orders may be passed in the matter of the defence of Mr Gifford &c. at first cost.

3 The Inspector General has also forwarded a copy of the plaint in the case.

4 The plaintiff [redacted] against the Head Constables of the Kolar gold fields & Mr Gifford &c for no reason whatever, broke open 8 of the locks of the house & shops situated in Bangalore, [redacted] on the 15th April 1904, and after a search made therein carried away with them some gold ornaments and some pieces of bar gold and [redacted] ordered them to be forwarded to the Geological Officer that Thinking that these should not be

NOTE—Contn. sheet.

MGCPB—20,000—1-11-04.

G.R.S. 12]
General and Revenue Secretariat.

File No. 198 of 1905.

Serial No.

returned to the plaintiff, they cut these to pieces; that this has caused a reduction in the weight thereof, which has been brought to the notice of the City Magistrate, through whom they were eventually returned; that the defendants went so far as to threaten the plaintiff that in case he did not allow the defendants to search the premises as they liked, they would let in strangers for the purpose: that on account of these acts of the defendants he has suffered damages to the extent of Rs 503/8/0. as follows:—

On account of the loss of weight in gold	113-0-0
for making charge for removing the ornaments	20-0-0
For damaging the locks	20-0-0
For damage suffered by the loss of the defendants	350-0-0
	503-0-0

9 Last Fridays. The case has been adjourned to the 12/12/05 14/12/05 of the instant.

10 The defence of the suit at the cost of Govt. may be sanctioned. A copy of the written statement when filed should be called for. Proceedings

12.206.

Note—Contn. sheet

GPB—50,000—23-10-05

G.R.S. 12j

General and Revenue Secretariat.

A File No. 198 of 1905

Serial No.

Draft dated 12/2/06 received 12/2/06

11 Draft submitted to the Dewan Sahib thro the 2nd Councillor 12-2-06

98 / 12.2.06. 12 The suit may be sanctioned to be defended at Govt cost 12.2.1906

Draft sd 23/2/06

11292 / 14.2.06 5 13.2.1906 13/2/06 D 14.2.06

Govt Orders No. J 2260-2 dt 20/2/06, to the Asst Govt Pleader 1st Addl Dist Court Bangalore sanctioning the defence of the Govt Road & the 2 Head Constables in the case in question at Govt cost & requesting the Pub. Prosr to submit a copy of the written statement proposed to be filed.

6 From the Pub: Prosr:, Bangalore, No. 2 of the 3rd March.

Forwards copy of the statement for the defence & states that the case has been adjourned to

NOTE—Contn. sheet

GPB—50,000—23-10-05

G.R.S. 12]
General and Revenue Secretariat.

File No. 158 of 1905

Serial No.

The 8th instant
Lib for orders
7/3/06
13 Record with the remark that the Public Prosecutor should also appear for the other defendants (the Head Constables)
7.3.06

Draft Subs for approval
7/3/06. Lib 7.3.06
7/3/06 15 Passed
Draft Issued 7.3.1906

7 Put Proc No. J 2420-1 8/3/06. to the Public Prosr, Bangalore & the Dy Inspr General of Police in myore

8 From the Public Prosr, Bangalore
dd the 7th March 1906.
Forwards for information & approval copies of written statements filed by the 2 Head Constables in the question & states that the case is posted to the 31st inst for disposal
16 Lib with Draft & Proc to issue the statements may be forwarded
17 8/3/06

8/3/06 Issued
Rd 8/3/06

B Record 7/3/06

Note—Contn. sheet

GPB—50,000—23-10-05

G.R.S. 12]
General and Revenue Secretariat.

File No. 158 of 1905.

Serial No.

18

19 Passed 21.3.1906

9 From the Police Supt, Bangalore No. 12539 of 23/3/06.

Reads & encs & with the remark that the result of the defence should be reported.

10 From the Asst Superintendent of Police Bangalore No. 4871/5385 of 23/3/06.

Forwards addl copies of written statements filed before the Principal Munsiff of Bangalore by the 2 head Constables in question & brings to notice the undesirability of allowing Civil Courts to entertain complaints against Govt officials for acts done in their official capacity - without reference to the Head of the Dept to which they belong.

20 Submits for orders. The Asst Superintendent suggests that an order may be issued to the effect that in all such instances, the Civil Courts should obtain the Case for the orders of Govt before taking them on their files. -

NOTE—Contn. sheet

GPB—50,000—23-10-05

G.R.S. 12]
General and Revenue Secretariat.

File No. 154 of 1905-06

Serial No.

21 There is a special analogous provision in the Land Revenue Code, which please look up. Let me see also the new draft Police Regn, & the Police Act of 1861 in force in Bangalore (about notice & limit of amends etc)

5.4.06

The reference called for are herewith

22 19/4/06 Such protection as the law considers desirable has been secured to Police officers in sections 42 & 43 of the Police Act V of 1861 which is the law in force in the Bangalore City. Under these sections, the time within which suits can be brought is limited to three months from the date of the act complained of; one month's notice before commencing the action is prescribed; & other restrictions are laid down, such as the bar of damages & of costs in certain cases; and the plea of acting under warrant is made an absolute justification. The draft Police Regn (which will apply to the whole State when passed) goes further, & saves Police officers & Magistrates from suits & prosecutions on account of

NOTE—Contn. sheet

GPB—50,000—23-10-05

G.R.S. 12]
General and Revenue Secretariat.

File No. 198 of 1905-06

Serial No.

acts done in good faith in pursuance or intended pursuance of a statutory or other lawful duty or authority. (Vide ~~Section 70-81~~)

These provisions are, in the opinion of Govt, sufficient to afford reasonable protection to Police Officers; & they are not prepared to interfere with the jurisdiction of the Civil Courts of Justice in the manner suggested by the Inspr General of Police.

23 Draft an order accordingly

24 Drafted

13/4/06

Todkar Asst 20/4

13/4/06

25 The existing protection is sufficient for all practical purposes & the draft Police Regulations afford more ample protection. The draft may be approved.

Bleeding of nose

20/4 20/4/06

13-4-1906

26 The Inspector General of Police.

11 Encl. 2962/Lets 198-11/D 24-4-06

Declines to interfere with

NOTE—Contn. sheet

GPB—50,000—23 10-05

G.R.S. 12]

General and Revenue Secretariat.

File No. 198 of 1905-06

Serial No.	
	the jurisdiction of the civil courts
	of justice in the manner suggested
	by the Dy. of Police as the existing
	protection in Sects 42 & 43 of the
	Police act V of 1861 is sufficient for
	all practical purposes and that
	the draft Police Regulation will
	when passed, afford more protection

GPB—50,000—23 10-05

in the matter seems desira-
ble.

Sd/ T. Royalu Chetti
for D.J. Comm.

Copy"

F. no: 198
S. no: 1

Asstt Commissioner
At Shenbaden

J 2060

The undersigned begs to forward this to the Secretary to Govt. Rev. & Gen! Depts for such action as may be necessary. It is learnt that the Inspector General of Police is at the Kheddahs - the search by the Police was under the provisions of the Code from what the Amildar states but as it occurred in the Bangalore District - undersigned does not know the particulars. Begs to suggest a move to the Govt advocate to move for an adjournment.

Sd/ [illegible]

Comp Mysore
31-1-06.

H.S. is just starting for Bangalore there & thence to Madras for the Commission

To Branch III
2/2/1906
2-2-06

Copy of letter No: 527 dated 30th January 1906 from the Deputy Commissioner, Kolar District to the Inspector General of Police in Mysore, Bangalore.

I have the honor to forward herewith for disposal, report No: 527 dated 29th instant in original with its enclosure received from V. Gopala Rao Amildar of Chikmaikanhalli praying that the suit lodged against him by Munisubbaiya in the Court of the Principal Munsiff of Bangalore may be defended at Government Cost.

As the hearing of the suit is reported to be fixed for the 1st Proximo, early action

Chickmaikanahalli
29. 1. 06

From

V. Gopal Rao
Amildar
Chickmaikanahally.

To

The Deputy Commissioner
Tumkur District

Sir

When I I have received summons from the Principal Munsiffs' Court at Bangalore in a suit in which I along with two Head Constables of the Kolar Gold Fields have been sued for damages to the extent of Rs 503/- by one Munisubbiah of Bangalore for having searched his house on suspicion. The suit is comes off on the 1st February 1906 for hearing. I herein enclose for your kind perusal a memo showing the details of my action for which damages are now claimed & humbly beg

beg that you will be pleased to forward the same to the Inspector General of Police and move him to kindly arrange at an early date for my being defended at Government cost.

I beg to remain
Sir,
Your most Obedient Servant

(Sd.) V. Gopal Rao
Accused

"Copy"

enc

On 19.4.1904 Head
Constables Raghothma Ra
& Anderson of the Kolar
Gold fields Came to me
in Bangalore City as I
was then City Police Inspecto
and told me that they
had received information
that Komarali Muni
Subbaiah a merchant
of Chintamani now
living in Bangalore
City has in his possession
a large quantity of Kolar
mining Gold and asked
me to help them in making
~~in making~~ a Search of
his house & Shop. I
accordingly accompanied
Head Constable Anderson
who took me to the house

of mine Subbaiah and 6
helped him in searching
the house in the presence
of a panchayat. Head
Constable Raghothma Rao
joined us later on, and
during the search of the
Shop Head Constable
Anderson suspected a
newly made gold necklace
and a few pieces of bar
gold to have been of Kolar
mining Gold, and wanted
them to be seized & sent to
the Geological office for
analysis with a view to
ascertain that it is
mining Gold. Complying
with his request I seized
the property, prepared
an usual mahazar,
sealed the packet &
reported the seizure to
the City Magistrate. The
packet was then
forwarded at my
request to the State
Geologist

7 Geologist for analysis
of the gold + for Certificate
I remained in Charge
of the City Police till
April 1905 when I was
transferred to my present
appointment and I do not
at present remember if
any order was received
in Connection with the
property. From the above
facts which I have already
reported in my diaries
while City Police Inspector
it will be seen that my
action in the affair is
not in the least illegal
but on the Contrary
perfectly bonafide in the
discharge of my official
duties.

The said Muni
Subbaiah has now preferred
a suit for damages to the
extent of Rs 503/ against
Head

Head Constables Rajhothmas & 8
& Anderson and myself
as the 1st 2nd & 3rd defendants
and a Copy of the Plaint
is herewith attached* —
for perusal. The Suit
comes on the 1st February
1906 for hearing. It is
needless to me to State how
very discouraging & —
detrimental to the efficiency
of work of Police officers
it is to be thus proceeded
against by private —
individuals even in Cases
where the actions are —
merely in the interests
of Government work &
involve no infringement
of law.

Under these circum-
stances I beg to Submit
that I am deserving of
the Concession of being
defended at Government
Cost & pray that the Same
may be kindly ordered
So that I may not have
to Suffer for having
discharged

* not received

I discharged my duties
honestly & Conscientiously

(Sd) V. Gopala Rao
29.1.1906. Amildar
Chickanaikanahally

Copy

G.R.S. 26

File No. 158

Serial No 2

Diary No. of letter replied to _____

No. J 2186.

General and Rev. Secretariat
(Courts.)
, *the* 190 .

To

The Public Prosecutor
Bangalore Division.

Date of issue 8/2/06

Signed by Under Secretary

Sir,

I am directed ~~to state~~ that it has been reported that one Munibasaiya of Bangalore has filed a suit in the Principal Munsiff's Court, Bangalore for the sum of Rs 503/- against the P.C. Gopal Rao, Amildar of Chickmaikenhally and 2 head Constables of the Kolar Gold Fields for having searched his house on suspicion. As a copy of the plaint has not been received ~~accompanied~~ the reference ~~sent~~ to Government in the matter by the Deputy Commissioner of Bangalore, I am to request the

over.

SUBJECT.

Therefore
You to 11

~~from the Registrar~~ obtaining and
furnishing ~~him with~~ a copy
of the plaint ~~in the case~~, with
information as to the date to
which the case, which ~~was~~ had been
posted for hearing on the 18th
February, has been adjourned
& the stage in which it now is.

I have te

6.2.06

Secretary

MB SP
6/2/06 7/2/06

List of enclosures,

Copied by 7/2/06.

Examined by SP
7/2/06

MGCPB—20,000-19-12—04.

Ks... ? 1905-06 2098
III 6
10-2-56

From

The Deputy Commissioner
Tumkur District

To

The Secretary to the Government
of H. H. the Maharaja of Mysore
Genl. & Rev. Depts.

Dated

Despatched 3 8th February 1906
9th

Received

General No. 707
No.

Enclosure No. One

Forwarding copy
of letter to the Inspector-
General of Police in
Mysore in re the suit
against Amildar Mr.
V. Gopala Row.

Office of the Deputy Commissioner
Tumkur District
Dated Tumkur 8th Feb.y 1906.

F. no: 198
S. no: 3

From

K. Doraiswami Iyer Esq
Deputy Commissioner
Tumkur District

To

B. K. Venkata Varada Iyengar Esq
Secretary to the Government of
H. H. the Maharaja of Mysore
Genl & Rev. Departments

Sir,

In continuation of my communication from Camp Mysore dated the 1st Instant re the suit brought against Amildar Mr. V. Gopala Row and two other Police Officers of the Kolar Gold Fields, I have the honor to forward herewith for information Copy

of

of letter no 413 dated 8th
Instant addressed to the
Inspector-General of Police
in Mysore on the subject.

I have the honor to be
Sir,
Your most obedient servant
Signature illegible
for Deputy Commissioner

Copy of letter no: 413 dated 8th Instant from the Deputy Commissioner, Tumkur District to the Inspector General of Police in Mysore, Bangalore.

In continuation of this office letter no: J. 397 dated 30th Ultimo re the suit brought against Amildar Mr. V. Gopala Row and two other Police officers of the Kolar Gold Fields by Munisubbayya of Bangalore, I have the honor to inform you that Amildar Mr. Gopala Row moved the Court of the Principal Munsiff of Bangalore through a pleader Mr. H. Krishnappa to grant an adjournment

till

till the 19th Instant and that the Case has been adjourned accordingly.

2. As already requested if the Inspector-General deems it desirable, early action may be taken to undertake the defence at Government Cost.

"Copy"

Assistant Secretary

For Deputy Commissioner

1905-06.

J 2105

From,

The Inspector General of Police
in Mysore.

To,

The Secretary to the Govt. of
H. H. the Maharaja of Mysore,
Genl: & Rev: Departments.

Dated. 10'

Despatched. 10' February 1906

Received.

General No: 4080
No: 443

Enclosure No: 4

Requesting that Mr: V. Gopal Rao Amildar of Chickmagalkanhally may be defended at Govt: cost in a suit lodged against him by one Munisubbiah of Bangalore.

16 J 2105

No: Home Em 4 443

Office of the
Inspector General of Police in Mysore.
Dated, Bangalore, 10th February 1906.

J. no: 198
S. no: 4

From,

F. E. C. Carr Esquire,
Inspector General of Police
in Mysore.

To,

B. K. Venkatavaradaiengar Esquire,
Secretary to the Government of
His Highness the Maharaja of Mysore,
General and Revenue Departments.

Sir,

I have the honor to forward herewith copies of letter No: 397 dated 30th January 1906 and enclosures from the Deputy Commissioner, Tumkur, requesting that in a suit for damages lodged against Mr. Gopal Rao, acting Amildar of Chicknaikanhally, by Munisubbiah of Bangalore, he may be defended at Government cost.

On information furnished by the Detective Police of the Kolar Gold Field, that Munisubbiah was in possession of mine gold, Mr. Gopal Rao who was then City Inspector searched the house of the said Munisubbiah and found therein some gold which was certified by the State Geologist to be mine gold. The case was charge-sheeted by the Police, but owing to want of clear evidence to show that the individual came by the gold dishonestly, it was with-drawn. Mr. Gopal Rao all along acted purely in the interest of Government and I therefore consider that in the suit now filed by the complainant, he should be defended at Government cost.

No: 397.

Office of the Deputy Commissioner
Tumkur District.
Dated, Tumkur, 30th January 1906.

From,

K. Dorasami Iyer Esquire,
Deputy Commissioner,
Tumkur District.

To,

F. E. C. Carr Esquire,
Inspector General of Police
in Mysore.

Sir,

I have the honor to forward herewith for disposal report No: 327 dated 29th instant in original with its enclosure received from Mr. V. Gopal Rao, Amildar of Chicknaikanhalli, praying that the suit lodged against him by Munisubbiah in the Court of the Principal Munsiff of Bangalore may be defended at Government cost.

As the hearing of the suit is reported to be fixed for the 1st proximo, early action in the matter seems desirable.

I have &c.,
(Signed.) Royalu Chetty.
For Deputy Commissioner.

" C O P Y "

for Inspector General of Police.

Chiknaikanhalli.

29-1-1906.

From

V. Gopala Rao

Amildar, Chiknaikanhalli.

To

The Deputy Commissioner,

Tumkur District.

Sir,

I have received summons from the Principal Munsiff's Court at Bangalore in a suit in which I along with two Head Constables of the Kolar Gold Fields have been sued for damages to the extent of ₹503/-. by one Munisubbia of Bangalore for having searched his house on suspicion. The suit comes off on the 1st February 1906 for hearing. I herein enclose for your kind perusal a memo showing the details of my action for which damages are now claim-ed and humbly beg that you will be pleased to forward the same to the Inspector General of Police and move him to kindly arrange at an early date for my being defended at Government cost.

I beg &c.,

Signed/ V. Gopala Rao.

Amildar.

"C O P Y"

To

The Inspector General of Police.

Memo.

On 19-4-1904 Head Constable Raghothama Rao & Anderson of the Kolar Gold Fields came to me in Bangalore city as I was then city Police Inspector and told me that they had received information that Komarali Nunnenbbaiya, a merchant of Chintamani now living in Bangalore city, has in his possession a large quantity of Kolar mining gold and asked me to help them in making a search of his house & shop. I accordingly accompanied Head Constable Anderson who took me to the house of Nunnenbbaiah and helped him in searching the house in the presence of a panchayet. Head Constable Raghothama Rao joined us later on, and during the search of the shop, Head Constable Anderson suspected a newly made gold necklace and a

bew

few pieces of bar gold to have been ob-
tained from Kolar mining gold, and wanted them to be
seized and sent to the Geological Office
for analysis with a view to ascertain that it
is mining gold. Complying with his request
I seized the property, prepared an usual
Mahazar, sealed the packet and reported
the seizure to the city Magistrate. The packet
was then forwarded at my request to the
State Geologist for analysis of the gold
& for certificate. I remained in charge
of the city Police till April 1905, when I
was transferred to my present appointment
and I do not at present remember if any
order was received in connection with the
property. From the above facts which I
have already reported in my diaries,
while city Police Inspector, it will be seen
that my action in the affair is not

in

in the least illegal but on the contrary perfectly bonafide in the discharge of my official duties.

The said Mimisubbiah has now preferred a suit for damages to the extent of Rs 500 against Head Constables Raghothama Rao and Anderson and myself as the 1st, 2nd & 3rd defendants and a copy of the plaint is herewith attached for perusal. The suit comes off on the 1st February 1906 for hearing. It is needless to me to state how very discouraging & detrimental to the efficiency of work of Police Officers it is, to be thus proceeded against by private individuals even in cases where the actions are purely in the interests of Government work & involve no infringement of law.

Under these circumstances I beg to submit that I am deserving of

of the Concession of being defended at Government cost and pray that the same may be kindly ordered so that I may not have to suffer for having discharged my duties honestly and conscientiously.

(Signed) V. Gopala Rao.
Amildar.
Bhuvanakandally

Copy

To
The Collector
Inspector General of Police
Fort.

ಹೊಂಗಲ್ಲೂರ್ ಶ್ರೀನಿವಾಸಮೂರ್ತಿ ವರ್ಸಸ್ ಇತರರು

O.S. - of 05.06.

ವಾದಿ

ಹೆಚ್.ಎಂ.ಕಾರ್ತಿಕೇಯ್ಯ.

ಶ್ರೀವಾದಿಗಳು.

1. ರಮೇಶ್ಚಂದ್ರ.
2. ಲಂಡರು ಷಾ
3. ನಿಸಾರ್ ಅಹಮದ್.

ವಾದಿಯ ಕೇಸ್ಸಿನ ವಿವರ.

ವಾದಿಯು ಜಿಂಕಾರಮಣಾಚಾರಿಯವರ ಸಂಬಂಧಪಟ್ಟ ಶಿವಕ್ಷೇತ್ರ ಅಂತೂ ಸಾಂಪ್ರತಿಕಾರನಾಗಿರುತ್ತಾನೆ. ಜಿಂಕಾರಮಣಿಯಲ್ಲಾದೇವರಲು ಆ ವಾದಿಯು 1904 ನೇ ಇಸವಿನಿಂದಿತೀರ್ಥಂಗಳಲ್ಲಾ ಬಂಗಳೂರಿನಲ್ಲಿ ಮಾಂಡುತ್ತಾನೆ ಇದ್ದನು.

1. ಇ ನೇ ಶ್ರೀವಾದಿಗಳು ಹೊಲಾರದಗೆ ಬಂದಾಗ ಇವರನ್ನು ಶೀಘ್ರದರುಗಳು ಆಗಿರುತ್ತಾರೆ. ಮತ್ತು ಇ ನೇ ಶ್ರೀವಾದಿಯು ಬಂಗಳೂರು ನಿಂದ ಹೊರಟು ಹೋಗಿರುತ್ತಾರೆ.

2. ಈ ಶ್ರೀವಾದಿಗಳಿಬ್ಬರು ಶೆರೆಕ್ಷೇತ್ರವಾದ 1904 ನೇ ಇಸವಿಯಲ್ಲಿ ತಿರ್ಥ 19 ನೇ ಶತಮಾನದಲ್ಲಿ ಬಂದವರಿವರು ಬಂದವರು ಬಂದಿದ್ದಾಗಿನಿಂದ ಇವರು ಪಶ್ಚಿಮ ಅಂಗಡಿಯಲ್ಲಿ ಪ್ರವೇಶಮಾಡಿಲು ಆಗಲಿಲ್ಲ ಹೀಗೆ ಇವರು ಮಾಡುತ್ತಿರುವಂತಹ ಕೆಲಸಗಳಲ್ಲಾ ಬಹಳ ಪವಿತ್ರವಾದ ಕೆಲಸಗಳಾಗಿದ್ದು ಇವರು ಮಾಡುತ್ತಿರುವ ಕೆಲಸಗಳಿಗೆ ಯಾವುದೇ ತರಹದ ಅಡ್ಡಿ ಆತಂಕಗಳು ಬರದಂತೆ ಇವರನ್ನು ಕಾಪಾಡಿಕೊಂಡು ಬರಬೇಕಾಗಿರುವುದು ಎಲ್ಲರ ಕರ್ತವ್ಯವಾಗಿರುತ್ತದೆ.

3. ಈ ನಮ್ಮ ಗುರುಗಳಾದ ಶ್ರೀಮದ್ ರಾಘವೇಂದ್ರ ಸ್ವಾಮಿಗಳವರು ತಮ್ಮ ಕೈಯಿಂದ ಬರೆದಿಟ್ಟಿರುವಂತಹ ಪತ್ರದಲ್ಲಿ 5 ಕಾಲಂಗಳಲ್ಲಿ 21/2 ಪುಟಗಳಷ್ಟು

ప్రసంగారక్షమ్మలనిక్కు. ధ్వనినిజోమ్మాళిస్వీట్‌కో ంతూఁదిద ంర 2.5.04
రల్ల్లావంశ్రుంకు. భీర్రట్టిస్వేమోతీఆతర్గల్లాన్నుకేగదుకో ంతాలు ంకెక-
మ్మి అనిరుపదుంగణినము ంతిశిరుక్కి.

4. ఆలంశ్రుశివాంగల్లుమీల్లుంశరోశినతిరుఅల ంశ్రుకె ంర
సాంకెందయ ంవకె ంశ్రుణావు ంఆలరతల్లా. మ్లశ్రరదిందఆ ంతి
వాంతిసి ఆశవూంనవుంకో ంరశియు ంనన్నతి ంత్రుంతూమ ంశ
ఖికో ంళదురు ధ్వేశ్వరిందయా ంతోసినతినిదా ంధనిరుక్కి. ఆదకె ంశ్రుణా
ఆలాం ఆక్రమశ్వ్రుదిందవాంతిసిదంళ్ళనిదనన్నాక్కి. ఆఁ ంశ్రుశి
వాంతిగల్లుళివాబ్ధరాంనిరుకొశే. ఈవాంతియన్నియ ంవ
కెాంనుగే ఆనుసుతినియుందతంఁు ంళ్ళిసిశరతల్లా. మోల్లాంకళ
ధ్భిఆలరాంకెఆలిదఆలాశిమ ంతియుకుకొశే. ఆల్లశివ ంతి
ఆఁుదరశ్రుక్తికెాంతదల్లాకో ధ్భిక్కి శ్రుశివ ంతిగల్లాగుకె ఆల్లఁ
మంగ్భవిళుక్కి. వాంవ్రుక్తిమ ంతుక్కిపేయంచకో ధ్భిళు. మళ్ళాయాం
రుంభిరాళ్ళుమ ంతిరుకొంశంచకో ధ్భిక్కి. ఆశిలాళ్ళాకో ధ్భిలాళవల్లా.
మంతిగరస్నువల్లాక్కి. బళ్ళాసాంమర్ఆ ంళ్ళిసిద ంళ్ళుకుంమో శక్కో
ధ్భిళు. ఆదకె ంశ్రుణా ఆలాం ఆక్రమశ్వ్రుదిందవాంతిసిదంళ్ళనిదనన్నాక్కి.
ఆలశ్రుకె ంతుళు ఆశ్రుంర ఆలాందాంవాంతిక్కి. కె ంశ్రుణావ ంతుళ్ళు.

5. ఆక్రమకె ంర ఆలాంశ్రుశివాంగల్లుమీ ఆల ంశుంగశిక్షలశిళు ధాంకెక్కి
ఆఁుల్లుమీ ంర్భకెాంశిఖనళ్ళాసిం ంతోళుసగల్లుకో ంతాళుళుక్కి.
మళ్ళా ఆకెాంళిళ్ధ్యేమింతూగల్లు ఆఁుదరశసంగశిక ంళర ళాశిళాక్కి.
ఆదాంనుశ్రుశివ ంశిగల్లాందయ ంనశిరిఁుదర్భ ంచిం ంరశి
ఆలళుతదిల్లా. ఆశ్వరాంద 1906కెాక్కి ఆఁుల్లుమీ ంర్భకెాంతోమనలాం

గాంధులకు చేసిన ఎంక్వైనరీ రిపోర్టు పంపవలసినదిగా కోరడమైనది.

23 వ్యవసాయశాఖ

పంపిణీ చేయవలసిన పరికరాల వివరాలు

నూతన క్రొత్తకమ్మ్యునిస్టు పంపుసెట్ల ఖరీదు	113-8-0
రాగి మురుగు పైపులు మొదలగునవి	20-0-0
రిజర్వులో ఉంచవలసిన పరికరాలు	20-0-0
ప్రతి పంపులకు అవసరమైన కొన్ని విడిభాగాలు ఉదా: బేరింగులు, ఇంపెల్లరు, షాఫ్టు, ఫుట్‌వాల్వు, ప్రైమింగు పైపు, ప్రతి పంపులకు ఒక ఫ్లాట్‌ఫారం	350-0-0
మొత్తం	503-8-

ఈ మీ పత్రమునకు ఎంక్లోజరులో నిమ్మలూరు గ్రామంలో సాంకేతిక ఎంక్వైరీకి ఎంపికచేయబడిన పంపుసెట్లకు సంబంధించిన వివరాలు పంపవలసినదిగా కోరుచున్నాము. ఇట్లు

29.1.06

Copy

(Sd) V. Gopalakrishna

Copy

for Inspector General of Police

From The Public Prosecutor
Bangalore Division
F. No. 178
S. No. 6

To The Secretary to the Govt of
H. H. the Maharaja of
Mysore, in the Revl & Genl
Dept

Dated

Despatched 3d March 1906

Received

General No.

No.

Enclosure No. one

Sir

With reference to the
Govt Proceedings No. J 2260-
2 dt 19th-5 dated Bangalore
20th Feby 1906 - I have the
honor to forward herewith
a copy of the defence of
the 3d Defendant Mr V.
Gopal Row now Awarded

of Chickasawhatchie. The case has been adjourned to the 8th Instant to enable the Defendants to file their defence in the case

I have the honor to be

Sir

Your most Obt & humble

Servant

Wm Rose

Public Prosecutor

G.R.S. 28]

File No. 158
Serial No. 5

Diary No. of letter replied to J 2105.

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.
(Courts)

, the 190

Date of issue 20/2/06

Signed by By Secretary

READ.—

Correspondence ending with letter No. 4080/443 dated the 10th February 1906 from the Superintendent of Police in Mysore, soliciting the sanction of Government for the defence at Government cost of Mr. V. Gopal Rao, Acting Amildar of Chick naikanhalli, in the suit and 2 Head Constables of the K.G.Fields in the court of the Principal Munsiff of Bangalore by one Munisubbaraya of Bangalore, for damages said to have been caused to him by the horse of his escort instituted by Mr. Gopal

ORDER THEREON.—No.

248
15.2.06

Gopal

17.2.1906

over

SUBJECT

20/2/06

MGCPB—9,000—11-9-04

Rao, while he was Head Constable of Police, Bangalore, and the Constables in question, on suspicion of the plaintiff having been in possession of the stolen goods.

Order Reserved — No J 2260-2/ctst 98-5 D/2002-06.

The defence of Mr. Appal Rao and the Head Constables in question in the above suit at government cost is same three. A copy of the written statement proposed to be filed should be submitted early.

12/2/06

12/2/06

Secretary

To: The Asst Inspr General of Police Mysore
The Dist Magte of Dunkur
The Public Prosecutor, Bangalore Distr

12/2/06

Copied 19/2/06

Examined. 19/2/06

In

The Court of the Principal Munsiff
Bangalore

O.S. No 619 of 1905-06

Plaintiff
Munu Subbia

vs

Defendants
1 Raghunatha Rao
2 Anderson
3 Gopal Rao

The written statement of the 3rd Defendant is as follows:—

1 That on 19th April 1904 the Head Constable Raghunatha Rao and Anderson of the Kolar Gold Fields, came to the Defendant in Bangalore City, as the latter was the City Police Inspector then and informed him that they had received information that Plaintiff who was then in the Bangalore City had in his possession Kolar Gaming Gold and asked this Defendant to help them in making a search of the Plaintiffs house. The 3rd Defendant therefore followed the 2nd Defendant to the Plaintiffs house

and a search was made in the presence of panchayatdars. The 1st Defendant joined the other Defendants and during the search, the 2nd Defendant suspected a newly made gold necklace to have been of Kolar cunning gold and required the same to be seized and sent to the Geological office for analysis. The 3rd Defendant therefore seized the same, prepared a Mahazar sealed the packet and reporting the seizure to the City Magistrate got the same forwarded to the State Geologist for Analysis of gold and a certificate in April 1905. The 3rd Defendant was transferred as Amildar and does not remember if any orders were received in connection with the property.

2 The 3rd Defendant denies having been actuated by any malice or motive set forth in the 4th para of the plaint and puts Plaintiff to the strict proof of the same.

3 The 3rd Defendant is not liable for any damage or damages which the Plaintiff may have sustained as the 3rd Defendant has done no more

than what he had to do in the bona fide discharge of his Public duties.

4 The 3d Defendant does not know of Plaintiff has sustained any damages and puts Plaintiff to the strict proof of the same

5 All that is mentioned in the plaint is inconsistent with what is mentioned above is not true. The Defdt therefore prays that the suit against this Defdt may be dismissed with costs.

3rd March 1906
Bangalore

H Nanda Rao
Public Prosecutor
Bangalore Divn

G.R.S. 28]

File No. 698

Serial No. 7

Diary No. of letter replied to J 2274

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

( )

, the 190

Date of issue 7.3.06

Signed by the Dy Secretary

READ.—

(1) Govt order No J 2260-2, dt 20-2-06, directing the defence at Govt cost, of his V. Gopal Rao and 2 Head Constables, in the civil suit ~~instituted by~~ filed against them by one Munisubbiah, before the Principal Munsiff of Bangalore and requiring the early submission of a copy of the written statement proposed to be filed in the defence.

(2) Letter dated the 3rd March 1906, from the Public Prosecutor, Bangalore, forwarding a copy of the

over

ORDER THEREON.—No.

SUBJECT

MGCPB—9,000—11-9-04

Statement of the defence of Mr Gopal Rao, the 3rd defendant and stating that the case has been adjourned to the 8th March 1906, to enable the other defendants to get up their defence.

Order thereon: No. 2420-21 dt/7.3.06
cb 198-7

Recorded, with the Remark that the Public Prosecutor should appear also for the other defendants vs the two Hindu constables.

7-3-1906

7/3/06

To the Public Prosecutor, Bangalore
The Asst Judge of the Mysore

MD 7/3/06

LW 7/3/06

36 Judl 111 Judl 7/12/06 2360

1906

From The Public Prosecutor
Bangalore Division
Fr. No: 198
S. No: 8

To The Secretary to the Government of His Highness the Maharaja of Mysore in the Revl & General Departments

Dated 16th March 1906
Despatched 3 3
Camp Kolar
Received

General No.
No.

Enclosure No. Two

Sir,

With reference to the Government Proceedings Order No. J. 2260-2, dated the 20th February 1906, requiring me also to appear for the 1st & 2nd Defendants in O. S. No. 619 of 1905-06 filed by one K. Mune Subbia Chetty in the Court of the Principal Munsiff of Bangalore,—

I have the honor to forward herewith the Copies of the written Statements filed by the 1st & 2nd Defendants in the said Court for

for information and approval & further to intimate

that the Case is posted for disposal to the 31st day May 1906

I have the honor to be

Sir

Your most obedient & humble Servant

A Hamad Rine

D. Public Prosecutor

In.

The Court of the Principal Munsiff of Bangalore.

O.S.No:419 of 1905-1906.

Plaintiff.		Defendants.
K.Muni Subba Setty	VS	1.D.Raghothama Rao
		2.J.F.Anderson.
		3.V.Gopal Rao.

The 2nd defendants written statement is as follows;-

1.That the Defendant is not aware of the status of the Plaintiff or of his nativity and he is not aware of the circumstances under which Plaintiff was living at Bangalore.

2.That this Defendant is a subordinate Police officer on detective duty employed at the Kolar Gold Fields.

3.That information having reached the Superior officers of his de-partment, that the Plaintiff was illecitly trafficking in Kolar gold and was in possession of such gold, this Defendant was directed by them to go to Bangalore and effect a close search of the house of the Plaintiff with the aid of the Local Police officers and he did in obedience there to go and search the Plaintiffs house with the 3rd Defendant who seized 8 items of which 2 were newly made or-naments and 6 were small fragments of gold.

4.That it is true that for the purpose of the search some locks were broken open as Plaintiff was evasive in his answers and would not open the locks himself leading the parties engaged in the search to suspect him all the more.

5.That it is not true that the jewels that were seized were in use by the female members of the Plaintiffs family but were newly made once which the Police believed to have been made from Kolar gold

6. That this Defendant disavows that either in the matter of search or in the seizure he was influenced by any malicious motive and all that he did was above board and in the lawful execution of his duty.

7. That subsequent to the seizure the property seized was duly forwarded en bloc to the Geological Department for Analysis and this Defendant is not able to say in what form or how much of the gold sent was returned to the Plaintiff.

8. That there is no valid Cause of Action against this Defendant and he is not liable the Plaintiffs

9. That all the items of the gold seized were not subjucted to Analysis nor as a result of it was it proved that the gold seized was other than Kolar gold and this Defendant believes that the pro-secution of the Plaintiff was dropped more because the case could not be conclusively proved than that there were no reasonable ground to suspect the Plaintiff

10. That this Defendant admits he received a notice from the Plaintiff of an action contemplated against him dated the 6th March 1905 but pleads that it was not in strict compliance with the re-quirements of the law.

11. That the suit is barred by section 42 of Act V of 1861 and by the General provisions of the Limitation Act.

12. That the Plaintiff is not entitled to the several items of da-mages claimed and the same are excessive and remote.

13. That all the allegations made in the plaint inconsistent with the above are untrue.

14. That the Plaintiffs suit failing Defendant prays for the fore-going reasons may be dismissed with costs.

In,

The Court of the Principal Munsiff's, Bangalore.

Original Suit No:619 of 1905-06.

Plaintiff.	Defendants.
K.Muni Subba Chetty.	I.D.Raghothama Rao.
	2.J.F.Anderson.
	3.V.Gopal Rao.

The Ist Defendant states as follows:-

I. That there is no cause of Action whatever against him as he had nothing to do with the seizure or search of the jewels from the possession of Plaintiff.

2. That the Ist Defendant was merely present at the conclusion of the search, after he had attended to some other work not connected with the Plaintiff.

3. That the Ist Defendant is not at all responsible for the amount claimed by the Plaintiff and he therefore prays for the reasons stated above that the ~~xxxxxx~~ Suit against him may be dis-missed with costs.

G.R.S. 28]

File No. 158

Serial No. 9

Diary No. of letter replied to J2380

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

(Courts)

, *the* 190

Date of issue 23.3.06

with reference to Govt. Proc No. J2420-9 dt 15.3.06, 7th March 06,

Signed by [illegible] Secretary

READ.—

Letter dated the 16th March 06, from the Public Prosecutor Bangalore forwarding, for approval and information, copies of the written statements filed by the 2 head Constables of the K.G. fields, D. Raghottama Rao & J. Anderson, in O.S. No. 615 of 1905 on the file of the Principal Munsiff of Bangalore instituted by one K. Munisubbiah Setty of Bangalore. and stating that the case is posted to the 31st May 1906 for disposal.

over

ORDER THEREON—No

SUBJECT

Order Memo:— No. J 2539/Ch 1908-9 dt 23.3.06

~~The statements are~~
Amended
~~approved~~. The result of the
defence should be reported in
due course.

21.3.1906

21.3.06 Secretary

To The Public Prosecutor Bangalore

No. [illegible]
26/3/06

Copied 22/3/06

Examined [illegible]
22/3/06

III 1905-06 J 2453

23/3/06

From

The Inspector General of Police

in Mysore

To

The Secretary to the Govt of

H. H. the Maharaja of Mysore

Genl. and Rev Depts.

Dated 23

Despatched 23rd March 06

Received

General No 4871

No 538

Encl. No 2

Forwarding written statements of the Head Constable for the defence of the case filed by the Munsiff of Bangalore in the Suit for damages brought against Mr: V. Gopal Rao by Muniswbbiah & bringing to the notice of Govt: the undesirability of allowing Civil Courts to entertain complaints against Govt: officials in their official capacity without reference to the Head of the Deptt: to which they belong.

Office of the

No: 4871 Ex 2 / 538 Inspector General of Police in Mysore.

Dated Bangalore, 23rd March 1906.
R. no: 158
S. no: 10

From

F. E. H. Hearn Esquire,

Inspector General of Police
in Mysore.

To

B. K. Venkatāvaradaiengar Esquire,

Secretary to the Government of
His Highness the Maharaja of Mysore,
General and Revenue Departments.

Sir,

Adverting to Government Proceedings No:

J 2260-2 / 65 198-5 dated 20th February 1906, Sanctioning

The defence at Government Cost of Mr Gopala Rao and two Head Constables of the Kolar Gold Field, in the Suit for damages filed against them by Mr Subbiah, I have the honour to State that a Copy of the written Statement

filed

filed by Mr. Gopala Rao called for by Government, has already been forwarded by the Public Prosecutor, Bangalore Vide Government Proceedings No J 1420-21 dated 7th March 1906. Copies of the written Statements filed by the Head Constables are herewith forwarded for the information of Government.

I take this opportunity to bring to the notice of Government the undesirability of allowing Assaults and Civil Courts, to entertain Complaints against Government Officials in their official capacity, without reference to the Head of the Department to which the public servants Complained against belong. ⊗ ~~This has~~ The effect of unnecessarily harassing Government Officers in the Public performance of their duties, and of lowering their prestige in the estimation of the public, whatever the results of the proceedings may be. To ensure bold and unfettered action

⊗ Such suits have

2.

action on the part of the Officers of Government in their work, it is essential that they should be protected against all such vexatious proceedings.

I would therefore propose that a ruling be issued to the effect that in all such instances Civil Courts should submit these cases for the orders of Government, before taking them on their file.

I have the honour to be,
Sir,
Your most obedient servant,

F. Clarke
Inspector General of Police.
14.3.13.

In the Court of the Principal Munsiff
Bangalore.

OS No 619 of 1905-06.

Plaintiff

K. Muniswbriah Chetty.

vs

Defendant.

D. Raghothama Rao
2. J. F. Anderson.
3. V. Gopala Rao.

The 1st Defendant's written Statement is as follows:-

That there is no cause of action whatever against him as he had nothing to do with the search or Seizure of the jewels from the Plaintiff's possession.

That the 1st Deft. was merely present at the Conclusion of the search after he had attended to some other work not Connected with the Plaintiff

For the reasons Stated above the 1st Deft is not at all responsible for the amount claimed by the Plaintiff and he therefore prays that

that the Suit against him may be

dismissed with Costs

8.3.06. (Signed). D. Raghothama Rao.

Copy

Inspector General of Police.
11.3.

In the Court of the Principal Munsiff, Bangalore.

OS. No 619 of 1905-06

Plaintiff

K. Munisubbaiah Chetty.

Defendants.

1. D. Raghothama Rao
2. J. T. Anderson.
3. V. Gopala Rao.

The 2nd Defendants' written statement is as follows:-

1. That this Defendant is not aware of the Status of the Plaintiff or of his nativity and he is not aware of the circumstances under which the Plaintiff was living at Bangalore.

2. That this Defendant is a Subordinate Police Officer on detective duty employed at the Kolar Gold fields

3. That information having reached the Superior Officers of his Department That the Plaintiff was illicitly trafficking in Kolar fields and

was in possession of such gold this Defendant was directed by them to go to Bangalore and effect a close search of the house of the Plaintiff with the aid of the local Police Officers and he did in obedience thereto go and search the Plaintiffs' house with the 3rd Defendant who seized 8 items of which 2 were newly made ornaments and 6 were small fragments of gold.

4. That it is true that for the purposes of search some locks were broken open as Plaintiff was evasive in his answers and would not open the locks himself leading the parties engaged in the search to suspect him all the more.

5. That it is not true that the jewels that were seized were in use by the female members of the Plaintiffs family,

but

but were newly made ones which the Police believed to have been Converted from Kolar Gold.

6. That this Defendant disavows that even in the matter of Search or in the Seizure he was influenced by any malicious motive and all that he did was above board and in the lawful execution of his duty.

7. That subsequent to the Seizure the property Seized was duly forwarded en bloc to the Geological Department for analysis and this Defendant is not able to say in what form or how much of the Gold Sent was returned to the Plaintiff

8. That there is no valid Course of action against this Defendant and he is not liable to the whole or any portion of the Plaintiff's Claim.

9. That all the items of gold seized were not subjected to analysis nor as a result of it was it proved that the gold seized was other than Kolar gold and this Defendant believes that the prosecution of the Plaintiff was dropped, more because the case could not be conclusively proved, than that there were no reasonable grounds to suspect the Plaintiff.

10. That this Defendant admits that he received a notice from the Plaintiff of an action contemplated against him, dated the 6th March 1905, but pleads that it was not in strict compliance with the requirements of the law.

11. That the suit is barred by Section 42 of Art. 5 of 1861 and by the General Provisions of the Limitation act.

12

12. That the Plaintiff is not entitled to the several items of damages claimed and the same are excessive and remote

13. That all the allegations made in the Plaint inconsistent with the above are untrue.

14 That the Plaintiff's suit failing, Defendant prays for the foregoing reasons may be dismissed with costs.

(Signed). J. T. Anderson.

Copy

Inspector General of Police

G.R.S. 28]

File No. 158

Serial No. 11

Diary No. of letter replid to J 2453.

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.
(Police)

, *the* 190

Date of issue 26.6.06

Signed by Sir H. Ramaiya

READ.—

Letter No. 4871/538 dt the 28th March 1906 from the Supr of Police in Mysore forwarding copies of the written waiver filed by the Head Constables

Seems to have to be undesirable to allow Munsiffs & Civil Courts to entertain suits against

ORDER THEREON.—No

Govt officials ~~in their~~ for acts done in their official capacity without reference to the Head of the Dept to which the official belongs; that such suits have the effect of unnecessarily harassing Govt officers in the performance of their

over

SUBJECT

A in the suit ordered to be defended at Govt cost in Govt No J 2760-2 dt 20-7-06

MGCPB—20,000—24-2-05

public duties & of harassing them
in the obstruction of the public; and requiring
that, to ensure bold & unfettered
action on the part of the public
officers in their work, it ~~an order~~
~~may be issued to the effect that~~
~~in all such instances~~ Civil Courts
may be ordered to withhold such
fees for the orders of Govt, before
taking them on their files.

Order Nisi — J2562/Cts 198-11 & 24-4-8

The Government
observe that such protection
as the law considers desirable
~~already sought~~
~~has been granted to public officers~~
in Secs 42 & 43 of the Police Act
V of 1861, which is the law in
force in the Bangalore City. Under
these sections, the time within which
suits can be brought is limited
to three months from the date of
the act complained of; one month's
notice before commencing action is
prescribed and other restrictions

G.R.S. 27].

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

are laid down, such as the bar of damages & of costs in certain cases; and finally the plea of acting under a warrant is made an absolute justification. The Draft Police Regulation (which will apply to the whole State, when passed) goes further, and saves police officers and magistrates from suits & prosecutions on account of acts done in good faith in pursuance or intended pursuance of a statutory or other lawful duty or authority (vide S. 81).

2. These provisions are, in the opinion of Govt, sufficient to afford reasonable protection to Police officers; and they are not prepared to interfere with the jurisdiction of the civil Courts of justice in the manner suggested by the Depr Genl of Police.

12.4.1906.

Secretary

to the Govt of Bombay in Genl Dept

12/4/06

17/4/06

23.4.1906

Copied 23.4.06.
Examined